



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

August 24, 2021

By ECF

The Honorable Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Ndemenoh v. Boudreau, et. al.*, 20-cv-04492 (RA)

Dear Judge Abrams:

This Office represents defendants Vincent Boudreau, William C. Thompson, Anthony Laperuta, Wendy Thornton, George Rhinehart, and Tanni Baidya (collectively, “Defendants”) in the above-referenced action. In light of the fact that Plaintiff has missed the deadline for opposing Defendants’ motion to dismiss, after receiving no fewer than three extensions of time to file his papers, I write to request that the Court deem the motion as unopposed.

As the Court is aware, Defendants filed their motion to dismiss Plaintiff’s Amended Complaint on April 16, 2021. *See* ECF No. 28. Plaintiff was originally supposed to file his opposition by May 21, 2021. *See* ECF No. 29. Plaintiff subsequently requested three extensions, all of which were granted. *See* ECF Nos. 31-36. Pursuant to the final extension, Plaintiff’s deadline to serve his opposition papers was August 13, 2021. ECF No. 36.

It is now eleven days past the revised August 13, 2021 deadline and, as of the date hereof, Plaintiff still has not served any opposition to Defendants’ motion to dismiss, nor has he requested another extension of time to do so. Accordingly, Defendants request that the Court deem their motion to dismiss as unopposed.

Thank you for your time and attention to this matter.

Respectfully submitted,

/s/ Johane Severin

Johane Severin

Assistant Attorney General

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